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U.S. DISTRICT COURT IN THE UNITED STATES DISTRICT COUNTRICT OF TEXAS NORTHERN DISTRICT OF TEXA **DALLAS DIVISION** § BRIAN KEITH FAUTNER, § § Petitioner, Deputy § VS. NO. 3-06-CV-0060-M § \$ \$ \$ \$ NATHANIEL QUARTERMAN, Director Texas Department of Criminal Justice, Correctional Institutions Division Respondent.

ORDER ACCEPTING FINDINGS AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

After making an independent review of the pleadings, files and records in this case, and the Findings and Recommendation of the United States Magistrate Judge dated October 25, 2006, the Court finds that the Findings and Recommendation of the Magistrate Judge are correct and they are accepted as the Findings and Recommendation of the Court.

IT IS, THEREFORE, ORDERED that the Findings and Recommendation of the United States Magistrate Judge are accepted.

SO ORDERED this 16 day of Noethy, 2006.

BARBARA M. G. LYNN

UNITED STATES DISTRICT JUDGE